

From: Tom Dunn
To: Microsoft ATR
Date: 1/2/02 3:27pm
Subject: Microsoft Settlement

Public Comment:

While I do not consider myself any friend of Microsoft or their predatory business practices that have often run counter to consumer interests, I also do not consider myself an advocate of our increasingly litigious society. Particularly regarding the obscenely inflated legal fees that both sides charge. The consumer is invariably the loser and the lawyers the hands down winners.

In regard to Microsoft, as this email alleges, this complex settlement is tough on the company, but acceptable, and favorable to Microsoft's continuing service to their customers. This seems fair to all concerned. Especially if the Tunney Act will bring an end to expensive litigation.

My question is will the settlement involve some sort of Consent Decree that will permit oversight of the companies operations over a period of time? Merely as a form of insurance for consumer interest. I recently came across a letter to the editor I wrote several years ago about Microsoft's suing a small used bookstore in this area for selling unauthorized software. In that letter, I mentioned seeing originally packaged software for resale there, which was perfectly legal. I also mentioned how all previous versions of a Microsoft mysteriously disappeared simultaneously from all area stores. Manufacturer buy back was the only explanation, probably at a better retailer rate of return than previous versions would command. While there may not be anything technically illegal about such practices, they certainly favor Microsoft's bottom line over public consumer interest.

I would like to see such practices (among others) discouraged by the settlement with at least as much vehemence as the company would pursue it's interests.

Thank you,

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